

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Rabindranath Dutta
Assignee: International Business Machines Corporation
Title: Method and System for Customized Modification and Presentation of Remotely Saved Web Content
Serial No.: 09/740,461 Filing Date: December 18, 2000
Examiner: Kyle R. Stork Group Art Unit: 2178
Docket No.: AUS920000722US1 Customer No. 65362

Austin, Texas
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PRE-APPEAL BRIEF REQUEST FOR REVIEW AND STATEMENT OF REASONS

Sir:

Applicant requests review of the Final Office Action in this application. No amendments are being filed with the request. This request is being filed with a Notice of Appeal. The following sets forth a succinct, concise, and focused set of arguments for which the review is being requested.

CLAIM STATUS

Claims 1-5, 7-20, 22-35, and 37-45 are pending. Claims 1-5, 7-20, 22-35, and 37-45 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,546,393 to Khan (“Khan”).

REMARKS

Applicant’s invention is directed to a method, system, apparatus, and computer program product for customizing the storage of captured web content. In various embodiments of the invention, the client receives a Web page content file in response to a request by a user to browse the Web page. The Web page content may be displayed by a browser application, and the user may select a user interface control within the browser that indicates that the user desires to capture the content being displayed by the browser and push the content to the server for customized processing. The browser automatically retrieves an address of a server at which the user has previously established a user account for the capture service. Other user-specified

parameters can also be retrieved by the browser for sending to the server. The captured Web page content file and user parameters are sent to the server.

The server receives the data, and assuming that the user is authorized for processing data at the server, the server automatically stores the captured Web page content file from the client at the server. In addition, the server is operable to automatically retrieve a previously stored Web page content file and automatically modifies the retrieved Web page content by inserting a hyperlink to the Web page content file received from the client. The server then automatically stores the modified, previously stored Web page. In this manner, the user can customize the manner in which the server processes the Web page and/or the captured data so that the hyperlinks are available in a manner preferred by the user.

Examiner has rejected all pending claims under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,546,393 to Khan (hereinafter “Khan”). In the current Office Action, Examiner notes that the Khan reference teaches a system that transmits internet addresses for processing by the server. With regard to the nature of files transmitted by the system taught by Khan, Examiner states that when the system “transmits addresses or URLs, these are text files and count as files, and the fact that they are addresses does not detract from the fact that they are files, albeit, small ones.” Although the addresses transmitted by the system disclosed in Khan may constitute files, as characterized by Examiner, Khan does not disclose a system that transmits Web content files to the server.

Independent claims 1, 5, 16, 20, 31, and 35 recite that the present invention transmits Web page content files to a server. Applicants respectfully submit that this feature is not taught by Khan, nor by the other art of record. In the Office Action dated March 20, 2008, however, Examiner asserts that this feature is disclosed in Khan in Figure 27 (“www.delphi.com”). The discussion in Column 22, lines 36-50 make it clear that the Khan system is transmitting a Universal Resource Locator (URL) to a server. This does not anticipate the limitation of sending a Web page content file to a server, as recited in all pending independent claims. Those of skill in the art would understand a URL to be the internet address for a server. See, for example, page 944 of Newton’s Telecom Dictionary, 16th Edition, 2000, which states that a Uniform Resource Locator is simply “a fancy name for an Internet address.”

Those of skill in the art would not understand a URL to be the same as a Web content file. Web content would be interpreted by a person of ordinary skill in the art to include the “textual, visual, or aural content that is encountered as part of the user experience on websites. It

may include, among other things: text, images, sounds, videos and animations.” [Wikipedia http://en.wikipedia.org/wiki/Web_content] A Web content file would be interpreted by a person of ordinary skill in the art to be a file comprising appropriate code for generating Web content. Applicants submit, therefore, that Khan does not anticipate the limitations. It is well understood by those of skill in the art that the content of a web page may vary from time-to-time, while the URL remains the same.

On page 11 of the Final Office Action, Examiner states that Applicants claim language does not require the web page content file itself to be sent to the server, citing claim 1, line 14 as an example. However, on page 11, Examiner correctly observes that claim 1, line 14 recites that “the content file is sent from the client to the server ‘using the retrieved address’”.... The fact that the retrieved address is used in the transfer does not negate the fact that claim 14 affirmatively recites that the content file is transferred to the server. This feature is not shown in Khan, nor elsewhere in the art of record.

In view of the foregoing, it is respectfully submitted, therefore, that independent claims 1, 5, 16, 20, 31, and 35 are allowable over Khan and the rejection of these claims under 35 U.S.C. §102(e) should be removed. It is further submitted that the remaining dependent claims depend upon an allowable base claim.

CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned at 512-338-9100.

CERTIFICATE OF TRANSMISSION

I hereby certify that on July 21, 2008 this correspondence is being transmitted via the U.S. Patent & Trademark Office’s electronic filing system.

/Gary W. Hamilton/

Respectfully submitted,

/Gary W. Hamilton/

Gary W. Hamilton
Attorney for Applicant(s)
Reg. No. 31,834